Suffrage—1911.

DISFRANCHISE THEMSELVES

Hundreds of Intelligent Voters Fail to Pay their Poll Taxes

New York Age.

Investigation shows that there are at least 30,000 colored voters in North Carolina who are eligible register and vote. But this is not the most surprising feature. The white Democrats do not object to the Negroes registering and voting in most parts of the state when they eligable under the law; in fact, during the campaign which just came to a close, the Negro vote was really sought after by both Republicans and Democrats.

A large proportion of the Negroes who vote are said to have voted for Democrats who are known to be friendly to the race Dr. Booker T. Washington was heard to remark during his tour through the state, in the presence of several gentlemen that before coming to North Carolina he not fully approved of the policy of Dr. George W. Clement, editor of the Star of Zion, and other colored men who have thought and acted as Dr. Clement, but after seeing the results of the policy pursued by Dr. Clement, Dr. Washington stated he was fully convinced of his wisdom, and the present healthy condition so far as Negroes voting in North Carolina is concernec, could, could uot have been brought about except throuh the policy pursued by Dr. Clement and others.

It was noticeable, however, that in North Carolina, as in too many other Southern states, tho greater part of the intelligent and property holding colored people. who do not vote, are not prevented by the white people, but they disfranchise themselves, because they do not pay their poll taxes. After careful inquiry through the state, your correspondent was not able to find a single case where an intellgent and substatial colored man was prevented from registering and voting, provided he complied with requirements of the law. Of course, there may be many sections where they are prevented through illegal methods, but the writer did not hear of them.

1,169 PAY POLL TAX.

WETUMPKA, ALA., Feb. 4.—With between two and three hundred "should be" voters on record, 1,160 poll taxes were paid in Elmore County

Mont Adv 2-3-11

NINETY THOUSAND HAVE PAID POLL TAX

Mont Adv 2-25-11

Five Thousand More Are Exempt By Statute.

100,000 ARE ABOVE THE AGE

There are 250,000 White Men in Alabama Who Could Vote, But 55,000 Have Rendered Themselves Ineligible by Not Paying Polls.

In the list below The Advertiser publishes a nearly complete list of the polls that were paid for the year ending February 1. Lawrence and Sumter counties are missing, the tax collectors in those two counties failing to reply to the requests for information.

This list shows that about 90,000 men have paid poll tax. There are about 5,000 more, members of the National Guard and others, who are exempt. It is estimated that there are 100,000 white men of voting age who are above 45 years, who are also exempt. In the State there are 250,000 white men of voting age. This compilation would indicate that there are 55,000 white men who have not paid their poll tax.

The list by counties follows:

Name of County.	Poll Tax
Augusta	595
Baldwin	563
Barbour	1,057
Bibb	1,036
Blount	1,340
Bullock	516
Butler	1,106
Calhoun	1,691
Chambers	1,121
Cherokee	1,237
Chilton	1,386
Choctaw	500
Clarke	859
Clay	1,510
Cleburne	780
Coffee	1,859
Colbert	774
Conecuh	981
Coosa	892
Covington	1,908
Crenshaw	1,346
Cullman	2,027
Dale	1,238
Dallas	1,020
DeKalb	1,682
Elmore	1,284
Escambia	752
Etowah	1,821
Fayette	1,141
Franklin	1,114
Geneva	1,325
Greene	334
Hale	554
Henry	993
Houston	1,489
Jackson	1,273
Jefferson	11,200
Lamar	1,122
Lauderdale	1,210
Lawrence	
Lee	992
Limestone	1,059
Lowndes	396
Macon	399
Madison	1,814
Marengo	875
Marion	1,355
Marshall	1,853
Mobile	2,966
Monroe	715
Montgomery	2,674
Morgan	1,882
Perry	699
Pickens	958
Pike	1,427
Randolph	1,112
Russell	309
Shelby	1,458
St. Clair	1,066
Sumter	
Talladega	1,054
Tallapoosa	1,488
Tuscaloosa	1,780
Walker	2,239
Washington	486
Wilcox	648
Winston	977
Total	87,803

After Disfranchisement.

Christian Advocate 4-6-11

Developments within the last few months have been the logical outcome of the disfranchisement of the Negro. In a popular government like ours, economic development is directly connected with political control. Without political power it is impossible to make progress economically. Of course while competition is not severe, the disfranchised group will appear to make progress; but that progress cannot be permanent.

It has been but twenty years since the first disfranchisement laws—a very short time in the history of a nation—but there have been two developments which ought to prove to us that we connot cease to insist upon our right to vote if we shall develop otherwise. Since disfranchisement began the Negro public schools have been greatly retarded. The public schools are to-day worse in many sections than ten years ago. Next has come segregation. We have no voice in voting the school taxes or for the men who make the school appropriations and we are shut out. We are now to be shut out of living in our own homes if we are able to buy in certain neighborhoods, and next we may be excluded from certain trades or professions; Negro stores and banks, etc., be confined to certain neighborhoods; then we may be excluded from walking on certain streets, or congregating at certain times or places.

If we would preserve our rights, we must secure the ballot, and use it intelligently and effectively.

Three negroes in Maryland recently recovered damages in the sum of $250 each because under a recent suffrage law they were denied the right to vote. The law has been repealed. —Palestine Plaindealer.

SENATOR BEASLEY WOULD CHANGE POLL TAX LAWS

Will Submit Proposed Amendment to Voters of State.

AFFECTS PAYMENT PLAN

Measure Will Entitle a Person to Vote at Any Election After Payment of Poll Taxes for Five Years—Provides for Election.

Mont Adv 3-11-11

To submit to the qualified electors of the State at the next general election a proposed amendment to Section 178 of the Constitution of Alabama, so as to secure a payment of the poll tax for the five years next preceding the time of offering to vote, as a requisite to the right to vote, is the purpose of a bill introduced in the Senate Friday by Mr. Beasley. The bill reads as follows:

"Section 1. Be It enacted by the Legislature of Alabama, That Section 178 of the Constitution of Alabama, as hereby proposed to be amended, be submitted to the quaified electors of the State for their consideration at the next general election for State officers, and as thus amended shall read as follows:

'Section 178. To entitle a person to vote at any election by the people, he shall have resided in the State at least two years, in the county one year and in the precinct or ward three months, immediately preceding the election at which he offers to vote, and he shall have been duly registered as an elector, and shall have paid on or before the first day of February next preceding the date of the election at which he offers to vote, all poll taxes due from him for the five years next preceding the year in which he offers to vote; provided, that any elector who, within three months next preceding the date of the election at which he offers to vote, has removed from one precinct or ward to another precinct or ward in the same county, incorporated town, or city, shall have the right to vote in the precinct or ward from which he has so removed, if he would have been entitled to vote in such precinct or ward but for such removal.

"Sec. 2. That the election to be had as to this proposed amendment to the Constitution shall be held and that all notices or proclaamtions shall be given, made and published, for the holding, ascertaining and declaring the results of such election as are now provided by law for such elections as to proposed amendments to the Constitution, the Code or other general law of the State."

REASON'S REPLY.

Two distinguished "Anglo-Saxon" citizens of dear old Lynchburg, Va., are debating at each other through the columns of the *Daily Advance* over the exclusion of the Negro from the ballot. Words are thick and reason is long, and out of the verbal conflict much good will come, for error never met truth face to face in the sunlight that truth did not eat it up, gaudy dress, silk stockings and all. The white men of Lynchburg are divided in their opinion, while the colored men are thankful for the local Daniel that dares to read the writing on the wall. We welcome the controversy. The hope of the situation in the South is that year after year the Southern white men who dare to talk out against the infamy, injustice and machination practiced against colored men will attract new men of force and character to the cause.

Senator A. F. Thomas of Lynchburg is opposed to the colored men of Virginia exercising the right of suffrage. His argument is that they are "colored," and are therefore unfit for citizenship. Judge Singleton Diggs has courted reason and walked in the ways of justice. He says that Mr. Thomas is in error, and what is important, he proves it in an argument that sounds the depths of logic. Judge Diggs' "final rejoinder," as the *Advance* calls it, we reproduce for its courage and strength, and is an example of courtly Virginia debate:

In reply to my friend, Mr. A. F. Thomas, to my article opposing his proposition to exclude the Negro from special elections, he declares that he favors the exclusion of Negroes from all elections, upon the ground that "God created distinct races with racial instincts and antagonisms." He ignores all consideration of justice and equity, and his reasoning is that the more his race antagonizes every other race the better it is doing the will of the Almighty.

This is the time-worn excuse of attempting to saddle upon the Creator the vices of the creature.

God no more created "racial antagonisms" that He created any other kind of prejudice, hatred, anger oppression or injustice. The instinct of one man to oppress another or to illtreat another is not of divine origin, no matter whether it be a natural instinct or not.

The only authentic records of the creation declare that everything that God made was good, and was so pronounced by Him at the end of his created work. It was the devil, the implacable foe of both God and man, who appeared on the scene later, and who injected "racial antagonisms" as well as every other manifestation of hatred or antagonism of man to his fellow-man, into the human heart. My reading is that God is love, and His commandment to all mankind is love one another.

Furthermore, if God created "racial instincts and antagonisms," what rule

of guide has He given for the governance of the instinct and antagonism? How far is it the pleasure of God that we may go in this racial antagonism? May one race, under his God-given instinct and antagonism, go to the extent of killing and annihilating any other race it may come in contact with? Or must it stop at simply teasing, torturing and putting the weaker race under the ban of political discrimination and give them no interest in the government of the country, except to pay taxes?

Where is the prescribed limit, if any, for the exercise of this divinely originated antagonism?

If the Negro race should have the power in any action here or in foreign countries, and should oppress and persecute the Anglo-Saxon race, including Mr. Thomas himself, would he be content to "recognize the force of natural law" and excuse them upon the ground of "racial antagonism?"

If we discard, in our theories of government the demands of justice, equity and fair dealing, and substitute the law of force, we return to the instinct of savages and chaos is come again.

The position and reasoning of Mr. Thomas would justify the Boxer insurrection against the foreigners, the uprising of the Turks against the Christians, and indeed every outbreak and act of intolerance and appression committed by one race against another.

The exclusion of the Negro race from suffrage and all participation in public affairs will not tend to purify the ballot one iota. Lift up your eyes to Ohio, Illinois and Virginia, and witness the disclosures and exposures of the white Anglo-Saxon bribing, cheating and defrauding his brother of the same race.

For the governing power of any country to adopt a policy of degrading, depriving, excluding and oppressing thousands of its citizens, not for crime or any wrong-doing, or lack of a common interest in the welfare of the country, but purely because they are of a different race is neither statesmanship, patriotism, good government, nor common justice.

As it is unprofitable to prolong this discussion, I will not again trespass upon the patience of the public, but will leave Senator Thomas in that con-

tentment which any man is entitled to enjoy who can cast upon his Creator the full responsibility for his own prejudices and frailties. And so I affectionately bid him an epistolary farewell. J. SINGLETON DIGGS.

Judge Diggs' masterly plea we shall preserve for reference. If Senator Thomas makes reply thereto we purpose to frame it for exhibition.

You have but eight more days with today, in which to pay that fee of $1.50. Poll tax receipts have been issued slowly in Alabama and the time limit is almost here. There are sixty-seven counties in the State, either one of which is liable to hold an election of some kind this year. Voting in this country is a privilege, not a right. Why not qualify yourself to share this privilege?

"GOING DOWN."

RESTORATION NO QUESTION

The *World* is put out because the Sutherland amendment to the Borah Bill was adopted, thereby killing the chances of the bill that calls for the popular election of Senators:

The opponents in the Senate of the direct election of Senators have so altered the proposed amendment to the United States Constitution as to insure its defeat by the votes of Senators most firmly committed to the principle of popular election. Throughout the South generally direct election is as nearly accepted in practice as is possible under the present Constitutional provisions. The injection of the question of Negro distranchisement may have been done honestly on the part of a few Senators, but the real purpose of the Senate managers in raising that issue was to insure the defeat of direct election. By preventing the adoption of the resolution, as a matter of fact, they restore the suffrage to no Negro in a Southern State.

By preventing the adoption of the Borah resolution the suffrage is not restored to a single Negro in the South. That is true, sad and shamefully true. But that is not the question now, and if the *World* had studied the matters with its accustomed intelligence the real issue involved would have been discovered.

The suffrage is not restored to a single Negro by the adoption of the Sutherland amendment, but disfranchisement of the Negro is robbed of permanency and the national government refuses to endorse and adopt the nullification of the Constitution as practised by certain southern states. The *World* believes in universal suffrage, we believe. There is no universal suffrage in the United States. There can never be universal suffrage so long as the nation allowed the *south* to disfranchise one-third of its population.

The desire of all of the city cart drivers to become registered voters was very plainly and vividly demonstrated last week when over a score of them drove their carts in front of the court house and made a sally upon the registrar. Some were told that in order to straighten out their accounts they would have to pay, in one case at least, as high as thirteen dollars while others there were whose fee was the minimum. But in each and every case satisfaction was wrought and they all drove away happy as larks for in the case of those whose indebtedness to the county was very large they made small payments on the installment plan to return on some later day and wipe out the remainder, whereby making themselves full-fledged citizens. This is a worthy and at the same time most opportune step by the city teamsters and might well stand as a example worthy of exemplification by hundreds of other Negro men in this city who have been derelict in their duties along this line. There is a sad neglect on the part of the great majority of our men to keep their names on the registration books of the city and as a consequence they are not allowed to participate in the municipal elections every two years. This negligence does not only occur among the ignorant and lowly but it is often the case with the intelligent and sometimes leading men of the various communities of our city. There are physicians, teachers, preachers and business men of prominence whose names are absent from the enrollment on the city books and they should all take notice of the steps which these men of the city cart department have taken to make themselves eligible for the coming presidential election and for future municipal contests. It is absolutely essential that there be some strenuous efforts made along this line and that we double, yea triple the present number of registered voters among us. In some cases it will only require a few extra efforts on our part to pay up back taxes while in others where the amount due is very large let us resort to the good old reliable installment plan as some of these teamsters did and shake off this debt so that we may all be recognized citizens.

Negro

RACE ISSUE IN THE SENATE

Election of Senators by Popular Vote Brings Up Question

OPPOSITION TO MEASURE

Senator Depew Says Proposition Means the Annulment of the Fourteenth Amendment

DISFRANCHISEMENT SCHEME

Senator Carter Believes Southern Senators Are Trying to Have State Law Made Constitutional.

Special to THE NEW YORK AGE.

Washington, D. C., Jan. 25.—In connection with the resolution relating to the election of Senators by popular vote, the Negro issue has been raised by several Republican members of the Upper House, who have declared that the Fourteenth Amendment is in grave danger and there is a possibility of the state laws in the South disfranchising Negroes becoming constitutional. Senators Depew and Carter are two of the strongest opponents of the measure.

In assailing the resolution Senator Depew gave out the following statement:

"The joint resolution now before the senate for the election of United States senators by the people fixes the qualifications of electors to vote for United States senators in this language: 'The electors in each state shall have the qualifications requisite for electors of the most numerous branch of state legislatures;' in other words, shall be fixed by the state legislature.

"The fourteenth amendment guaranteed to the Negroes the right to vote and the southern states, by various devices, have disfranchised them. Take Mississippi, for instance. With 1,800,000 people, it casts on an average, I think, from 60,000 to 80,000 votes only. Under this resolution, allowing, by constitutional amendment, the state to fix the qualifications of electors, it repeals the fourteenth amendment, which says that every citizen 21 years old, who has not committed a crime, shall be entitled to vote.

Qualification Should Be Uniform in Each State.

"My proposition is that the qualification of the electors for United States Senators and Congressmen shall be uniform in each state, and that congress shall make laws to see that the votes are properly registered and counted. When I offered this amendment to this same resolution in the committee on privileges and elections, six years ago, it was adopted by unanimous vote of the Republicans. Then the Democratic senators who had been vigorously, and with a good deal of temper advocating the Mann amendment said that if the Negroes were to be permitted to vote, they did not want the election of United States senators by the people, and would not have it. They killed the resolution.

"As an indication of the change of sentiment in regard to this disfranchisement of Negroes in the south, I got only 1 vote besides my own to my amendment in committee the other day.

"Now it becomes one of the most interesting questions, wherein six years' sentiment has so changed that Republicans from Northern States are willing in order to get the election of senators by the people to practically repeal the fourteenth amendment and allow the states, by a constitutional provision, to disfranchise forever the Negro vote.

"The south has been endeavoring, by various processes, to repeal the amendment. They have nullified it, but they always have been afraid that the supreme court of the United States might declare that nullification expediencies were unconstitutional.

"Now, under the guise of securing the election of United States senators by the people, they virtually secure an amendment to the constitution, under which, in their states, one-half or more of the people can be permanently disfranchised and denied the suffrage. In other words, the election of United States senators by the people means that some of the people shall not vote, and they will be barred by constitutional authority."

Now Passively Submit to Unjust Laws.

Senator Carter in attacking the resolution charged the Southern Senators with a scheme to saddle constitutionally the disfranchisement of the Negro voters upon the county, and said in part:

"The occasion demands plain speech and forbids evasion. Certain Senators not content with the success obtained in suppressing the Negro vote through a curious variety of state constitutional provisions and legislative devices, now seek absolutely to deprive the general government of all power to protect the elections of members of the Senate from such fraud, violence or corruption as may taint a Senatorial election North or South." He said that the adoption of the amendment would give substantial, though limited, national sanction to the disfranchisement of Negroes in the Southern states.

"In their disfranchisement," said Mr. Carter, "we now passively acquiesce, but with this supine attitude some Senators are not content; they ask us actually to strip Congress of the power to question election methods and actions in so far as the election of United States Senators may be concerned, and by the way of inducement to the Congress and the nation to consent to the permanent suppression of more than a million votes at elections to choose Senators, they will co-operate in the adoption of a constitutional amendment providing for the election of United States Senators by a direct vote of the people."

GREAT GOD! WHAT IS THIS? HOW LONG, O LORD?

The Rev. G. W. Blocker, the Moderator of Mt. Canaan Baptist Association, has been whipped severely with a buggy trace by white men and ordered to leave the County of Edgefield and the State of South Carolina. The Rev. Mr. Blocker has a splendid home and two or three hundred acres of good land, good stock, horses, mules, hogs and cows. He has been forced to sell his place and all the products of his farm at a great sacrifice.

We learn from a reliable source that six or seven other prominent colored citizens who own lands in the same neighborhood have been ordered to leave the County.

There are enough good, law-abiding white citizens to stop this outrage if they would speak out. Who will advocate the cause of the suffering race whose intentions are good, and whose desire is to build up this State?

In the name of God, what is the Negro to do? They were advised to stay out of politics, and buy homes. This they are doing, and have been doing for the last twenty years. Are these people now to be driven from the homes that have cost them all their hard and self-denying toil for nothing, simply because "THEY OWN TOO MUCH LAND AND ARE GETTING ALONG BETTER THAN SOME OF THE WHITE PEOPLE?" God forbid that such is the case.

This is a heart-breaking affair. Then think of the Negro homes that have been entered this year, searched and robbed on the pretense of hunting Negro criminals? No redress!

think of it; men arrested withou warrants, homes entered and searched without warrants. Is this our proud and high-toned State we love so well? Will the white people of South Carolina stand this? Is there no law to protect our people? Are they not tax-payers? Are they to be given no protection? We urge our people to be industrious, buy land, work the farms, and that they will be protected as good and upright citizens. The farms are the places for my people. But God knows that they need protection there as well as in the city. Is the government of our grand old State so weak that it cannot protect its citizens? In the name of God, where are the preachers, the teachers, and religious people?

DISFRANCHISEMENT TESTED

Negroes of Oklahoma Enter Suit in District Court at Guthrie Against Democratic Inspectors Who Refused to Allow Them to Register, Asking for $5,000 Damages.

Special to THE NEW YORK AGE.

Guthrie, Okla., June 19.—The colored people of this state are not going to be disfranchised if they can help it. Theirs has been a bitter fight since Haskell fastened disfranchisement on the state, but they are not at all discouraged.

The test suit to determine the constitutionality of the "Grandfather Clause" provision of the state constitution was filed in the district court here Wednesday by Attorneys John Devere and John J. Hildreth, of Guthrie, representing Theodore Cofield, a former Mississippi colored man, who sues Thomas Farrell, Democratic election inspector, and L. F. Leach, sr., Democratic election judge, for $5,000 damages and court costs for enforcing the grandfather clause and preventing him from voting.

It is declared Cofield was denied a vote because of race, color and previous condition, thus violating both Federal and state constitutions, and that only colored men are subjected to an education test in Oklahoma because of color, the law thus becoming a discrimination against that race.

The case will be carried through all intervening courts to the Federal Supreme Bench for final determination of the Oklahoma law. Cofield shows that he was properly registered and in every way qualified as a voter. He admits, too, that he is unable to read and write a section of the state constitution, as required by the grandfather clause.

The law is declared in violation of the fourteenth and fifteenth amendments to the Federal constitution, and Cofield claims the benefit and protection of such sections; also in violation of the state constitution, which adopted the enabling act provision that no law should ever be enacted that would disfranchise because of race, color and previous condition of servitude. The state supreme bench has held the grandfather clause constitutional and the Federal courts of this state in criminal actions have declared it unconstitutional.

A civil action was desired, however, on which to secure final decision. The suit was started at the direction of James A. Harris, of Wagoner, chairman of the Republican state central committee, who believes the Oklahoma law should be tested. The votes of about 15,000 colored men are involved.

DIGGES BILL MEETS DEFEAT

Measure to Disfranchise Negroes in Maryland Buried

GOLDSBOROUGH WINS

A Republican Governor Elected for the First Time Inside of Thirty Years

NEGRO VOTE WAS HEAVY

Showed More Than Ordinary Interest in Tuesday's Election—Marylanders Do Not Favor Disfranchisement.

Special to THE NEW YORK AGE

Baltimore, Md., Nov. 8.—Maryland has gone Republican for the first time in over thirty years, and the notorious Digges bill, which provided for the disfranchisement of thousands of Negroes, has also been overwhelmingly defeated.

Returns show that Phillips Lee Goldsborough has been elected Governor over Arthur Pue Gorman by a safe majority.

The Negroes throughout the state are mainly responsible for the election of Goldsborough and the burying of the Digges bill. Knowing that the success of Gorman and the passage of the Digges measure meant much to them, they evinced more than ordinary interest in Tuesday's election and polled a very heavy vote.

During the campaign the auxiliary committee to the Republican State Committee, composed of Negroes, sent men about in the state to teach colored voters how to mark the complicated

ballots which had been made so by the Democrats to confuse them.

The independents and the Republicans made honest elections and the repeal of the Wilson ballot law the issues. The Democrats made their fight for the continuance in power on the slogan of the "White Man's Party" and the indorsement of a constitutional amendment to disfranchise the Negroes by the 'Grandfather's clause." The amendment voted on was far more sweeping than the Poe and Straus amendments, which were defeated in previous state elections by overwhelming majorities.

Strong efforts were made in Baltimore to hold the business men's vote in line for the Democratic ticket on the ground that Democratic victory would assure the holding in Baltimore next year of the Democratic National Convention.

MARYLAND NEGROES SCORE ANOTHER POINT

Another Important Decision Rendered Against Disfranchisement

MUST BE NO DISCRIMINATION

U. S. Court Holds That Officials Indicted for Disfranchising Negroes in Charles County Will Have To Stand Trial.

7-13-11

Special to THE NEW YORK AGE.

Baltimore, Md., July 12.—Race disfranchisement got another hard blow in Maryland the other day, when Judge John C. Rose of the United States District Court, handed down a decision in which Judge Thomas J. Morris concurred, overruling the demurrers to the indictments filed against two Democratic election officials of Charles County and John M. Dulany, a printer of this city, who are charged with being responsible for the trick ballots used in the Congressional election in Charles County in November.

The ballots were gotten up in a manner to confuse the illiterate colored voters of that county, while practically making it easy for Democratic illiterates to vote. The indictments were brought under the Federal statutes. In his decision Judge Morris goes at length in defining the various injuries a citizen may be subjected to, and says:

> The right to vote at a Congressional election is a right which is not depended upon the race or color of the voter. The motive of the defendants might have been, as was charged in the indictments, to disfranchise Negro voters. If they knowingly conspired to prevent legal and qualified Negro voters from voting they offended against the statute. It would make no difference if in trying to what they wanted to do they also injured other voters.

The same court handed down a decision last November declaring the "grandfather" clause in the Annapolis election law to be invalid.

MARYLANDERS WINNING

Judge Morris in United States Circuit Court Awards W. H. Howard, Robert Brown and John B. Anderson Damages for Having Been Denied Right to Vote.

Special to THE NEW YORK AGE. 2-9-11

Baltimore, Md., Feb. 7.—A fitting sequel to the notable decision in the United States Circuit Court by Judge Thomas J. Morris some weeks ago, when he declared the "grandfather clause" in the Annapolis law was invalid because it was contrary to the Fifteenth Amendment, as it discriminated against the Negro, came in the same court last Friday, when the same judge decided that Attorney W. H. Howard, Robert Brown and John B. Anderson, three colored residents of the capital city of the State, were awarded $250 damages from the two Democratic registration officials who denied them the right to register under the law, thus depriving them of the right to vote.

In announcing his decision Judge Morris said that while each of the plaintiffs asked for $5,000 damages, and although he did not want to minimize the grievous wrong done the plaintiffs in having been denied the right to vote, he took in consideration the fact that the registers had acted under a law which he declared to be unconstitutional, October 28.

William L. Marbury and the two other attorneys who appeared for the defendants will contest the decision in the United States Supreme Court, and the question of the validity of the "grandfather clauses" in the disfranchising laws of the various Southern States may be finally determined.

Former Attorney General Charles J. Bonaparte, Edgar H. Gans, Edwin G. Beatjer and J. Wirt Randall appeared for the defendants.

The two decisions of Judge Morris are regarded as important, for in them many see a great chance to put a stop to anti-Negro suffrage laws.

One year in prison and a fine of $1(against each of them formed the pe alties imposed by United States Distri Judge Cotteril, at Enid, Okla., upon J. Beall and [illegible] election inspectors, convicted of conspiracy deprive Negroes of the right of votir in a congressional election in 1910. Ti men were [illegible] on $[illegible] bonds pen ing an appeal to the United States ci cuit court. The case involved the s called "grandfather clause" of the Okl homa statutes.

10-21-11

INDICTMENTS IN OKLAHOMA

Prominent Men in Trouble for Having Taken Part in Enforcing "Grandfather Clause" Last November—United States District Attorneys Keeping Their Word—Indict Seventy Violators of Constitution.

Special to THE NEW YORK AGE. 2-9-11

Guthrie, Okla., Feb. 6.—Two election inspectors have been indicted in the United States District Court on the charge of enforcing the "grandfather clause" at the November election, and seventy indictments have been returned against those who took part in the scheme to illegally deprive the Negroes of their votes.

Before election United States District Attorneys Embry and Lee issued statements that they intended to prosecute all violations of the election law, and are keeping their word. Duff [illegible]ffries, a wealthy Democrat, and [illegible] Smith, a Republican, both prominent in Logan county, were last week arraigned in the United States District Court and placed under bonds of $1,000 each.

The two men, who were election officers at Seward when the election was held last November, are specifically charged with enforcing the provisions of the so-called "grandfather amendment" to the State Constitution, which disfranchised certain Negro voters. In their cases, the Federal act applies because congressmen were elected.

Jeffries and Smith were indicted under section 19, chapter 3, of the Federal criminal act governing offenses against the elective franchise and the civil rights of citizens. The penalty is ineligibility ever to hold office or place of honor, profit or trust created by the Constitution of the United States. In addition to this, the maximum penalty is ten years' imprisonment and a fine of $5 000.

The indictments were returned as a result of the recent instructions to the grand jury by Judge Cotteral, who held that the Federal Constitution is supreme over any state law in granting the elective franchise. Previous to the election, United States District Attorneys John Embry of the Western district, and Lee of the East district, outlined particularly the section under which the indictments were returned.

Both Jeffries and Smith were noticeably nervous. Smith was particularly demonstrative, alleging that he had used his influence to such an extent as was possible, to permit the Negroes to vote and both men declared that in enforcing the "grandfather clause" they were working under instructions. They expect the state to furnish them attorneys and stand the expense of their defense.

The recent grand jury returned seventy indictments, and it is understood that a number of these are for similar violations, although no other arrests have been made.

The grand jury is called again for February 20th.

The Macon Telegraph (Dem.) says: "The proposition to amend the constitution of Georgia so that 'no man shall vote unless he has the certificate of two chaste white women that they would trust him in the dark' is worse than a puerile absurdity; it is an outrage upon decency, and—if favorably considered—is enough to make Georgia legislation a by-word throughout the country. Educational and property qualifications should be sufficient to restrict the negro vote within reasonable bounds. But if not, there are other means of attaining the end sought without dragging into the limelight the 'certificates' of either the good women of Georgia or the bad. What next! The author of the bill has been such a devoted worshipper at the shrine of the political Hokus Pokus, we presume he feels that something ought to be done to amend a registration law which disfranchises 92,000 white men and enfranchised 12,000 black men in Georgia last year."

The two election officers of Enid, Okla., who were found guilty of defrauding colored men of their votes, will appeal the case to the Federal courts. They were released under $2,000 bond.

ENDORSE SOCIALISTS.

Chickasha, Okla., Nov. 29.—At a convention of Negroes, held in this city a few days ago, the Socialist party was endorsed and the colored voters of Oklahoma advised to vote the Socialist ticket.

GRANDFATHER CLAUSE VOID.

MUSKOGEE, OKLA., Feb. 1—In his charge to the Federal grand jury here today, Federal District Judge Campbell held that the "grandfather clause" election law of Oklahoma is void. He said the clear purpose of the law was to disfranchise Negroes on account of race or color and that therefore it violated the fifteenth amendment to the Federal constitution.

FAVOR "GRANDFATHER" CLAUSE.

LITTLE ROCK, ARK., Feb. 12.—The Arkansas House today passed a resolution providing for the insertion of the "grandfather" clause in the State Constitution.

The resolution makes reading or interpreting a section of the constitution a necessary qualification for voting. It is further provided, however, that any one whose ancestors were qualified voters prior to 1867 is not barred from voting by inability to pass this educational test.

The resolution passed the House by a unanimous vote, the five Republican members joining with the Democrats.

In introducing the resolution Representative Hardage frankly stated that it was aimed at those whom he termed "vote selling negroes."

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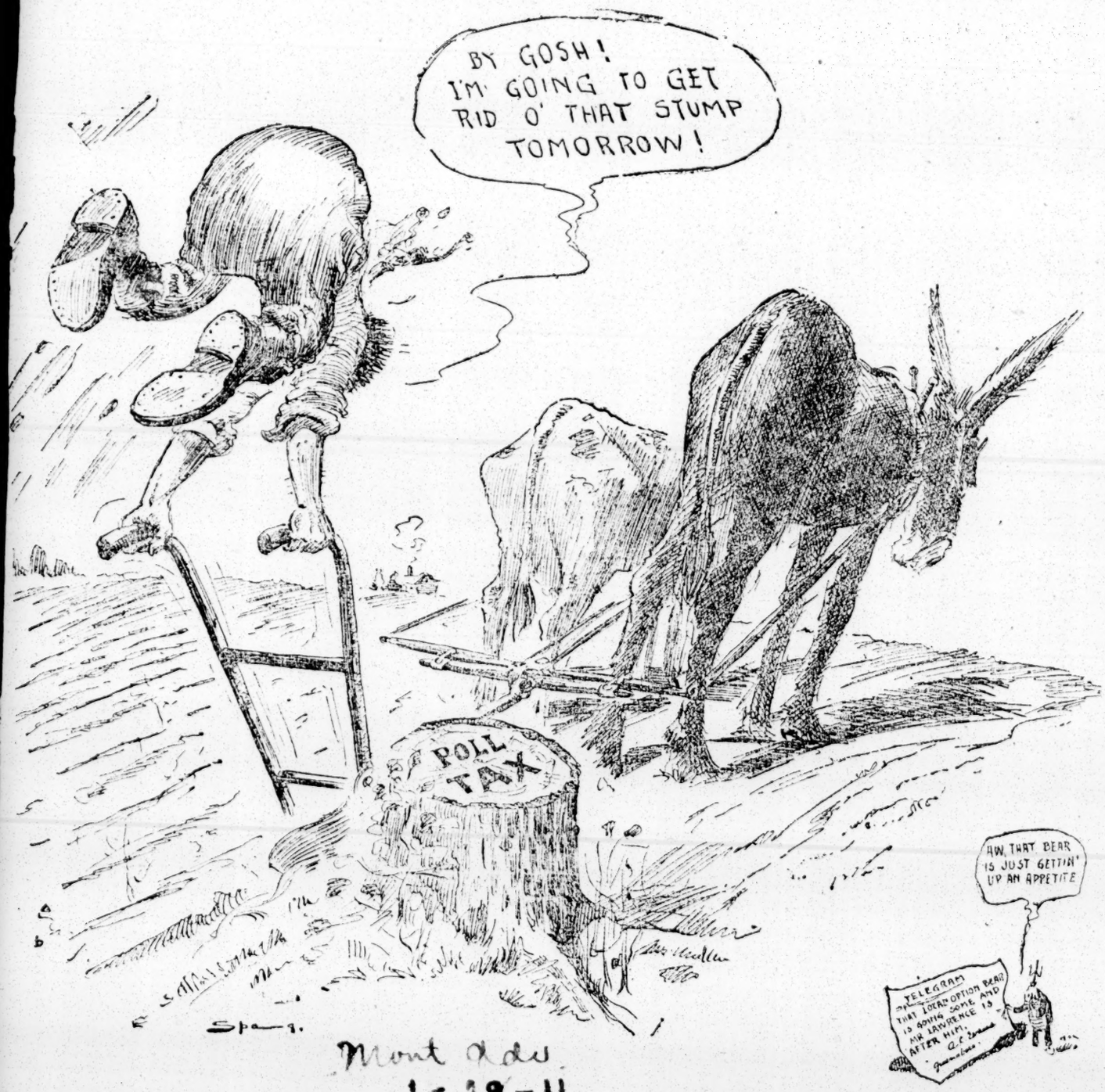


Mont Adv
1-29-11

NEW IMPETUS IS GIVEN TO POLL TAX PAYMENTS

Total Is Lower Than Last Year, However.

QUESTION IS LIVE ONE

Important Matters Looked To Be Settled During Year, and Earnest Effort to Get Out Every Voter Will Be Made.

Mont Adv 1-29-11

Although a sudden impetus has been given to the payment of poll tax in the past three or four days, the payment for this time is below what it was last year on a corresponding date. Tax Collector Charles B. Teasley, at 4 o'clock Saturday afternoon had received the poll tax of 1,508 men. He said that the highest payment of poll tax for any year ran close to 2,800 in number.

"In the past three days there has been a new impetus to the payment of poll tax," said Collector Teasley Saturday. "I attribute this to two causes. First, the interest The Advertiser is taking in the matter through its editorials and cartoons; and second, through the interest felt by many Montgomerians in the prospective local option election in this city. I have noticed that a number of the leading prohibitionists of Montgomery have come up and paid their poll tax in the past few days. On the other hand, quite a number of others whom I know to be opposed to prohibition have come in and paid their poll tax. It would seem to me, however, that the prohibitionists are attaching more importance to it than the anti-prohibitionists."

It was learned from Collector Beasley that last year following the anti-amendment election, the poll tax payment was exceptionally high, it ran close to 2,800. Well informed men say that probably 40 per cent of the voters of Montgomery are not subject to poll tax. The larger of this exempted class are men over 45 years of age, who are excused by the constitution from payment of poll tax; and another considerable class is made up of young men who are members of the four military companies of the city. There are other smaller classes exempt, but they are not large in number. It is said that 2,800 poll tax this year would properly represent an average payment, considering the growth of the city, and the growth of the voting population.

Wednesday Last Day.

Poll tax can be paid until Wednesday night. However, after that night, the poll tax books will be closed. Under no circumstances can a voter who lets the last day pass pay his poll tax and qualify himself for the voting privilege.

In political circles in Montgomery, the present year is regarded as an important year. In the first place, an election has already been called to select a judge for the Inferior Court of the city. In the next place the Smith local bill provides for a local option election in Montgomery. In the third place, the commission form of government bill provides for an election to select commissioners for the City of Montgomery.

In city politics, at least, the question of the payment of poll tax has become a live one. It is probable that some earnest effort will be made to get all possible voters to the court house and have them pay their poll tax by Wednesday night.

CHARGES OF FRAUD TRUE

Democrat Sues Baltimore American for Libel and Loses—Paper Proves Hundreds of Illegal Votes Were Cast.

Special to THE NEW YORK AGE. 2-2-11

Baltimore, Md., Jan. 31.—The Baltimore *American* has won a notable victory for the freedom of the press and for an honest ballot in Maryland. It was sued for $10,000 damages by Isaac P. Horsey, a Democratic supervisor of elections in Somerset County, who alleged that an article published by the *American* says that the election in that county was a barefaced fraud did him injury.

The *American* had the ballot boxes brought into court and showed that hundreds of Republican ballots were thrown out by the judges. It also proved that the ballot was fraudulent, containing a number of fictitious names with heavy black lines to guide Democratic voters and with no lines at all to guide Republican voters.

Trial of the case lasted four days and a verdict in favor of the *American* was rendered by a jury composed of about an equal number of Democrats and Republicans.

The verdict is counted as the most severe blow yet administered to fake and fraudulent ballots, which are used at every election in Maryland counties having a considerable white as well as Negro Republican vote.

MONTGOMERY COUNTY'S POLL TAX.

When the books in the office of the Tax Collector of Montgomery county closed on poll tax payments Wednesday at midnight, 2,677 citizens of Montgomery county had paid their poll tax. This means that the highest record of poll tax payments in Montgomery county had been slightly exceeded. This high record was established in 1910, following the amendment election, which had been called in a snap judgment way, and because of which, an unusual interest was manifested in the payment of poll tax. The poll tax payment this year means that Montgomery county should have approximately 4,600 voters, at least, in an election. The vote of the highest candidate in a Democratic primary of last year approached 4,400.

It has been estimated that in Alabama under the regulations of the new constitution, at least 45 per cent. of the voters are exempt from poll tax payment. The larger part of this exempt class are made up of men who are more than 45 years of age. The exempt class also include those who are physically deficient, or who belong to the National Guard of Alabama.

The citizens of Montgomery have indicated their keen interest in public affairs by the large payment of poll tax. The city of Montgomery and the county of Montgomery in a Democratic primary will be able to cast as many votes as has been polled in a primary since the adoption of the new constitution in 1901. Undoubtedly the elections proposed for the coming year inspired a great many Montgomerians to go to the Court House and pay their poll tax.

10,000 PAY TAX.

Mont Adv 2-2-11

Number of Jefferson Countians Qualifying to Vote Disappointing.

BIRMINGHAM, ALA., Feb. 1.—Less than 10,000 poll tax receipts were issued in Jefferson County, the time of paying the same expiring at 7 o'clock this evening. Including back taxes, the collector last year issued 19,500 receipts. The daily newspapers made every effort to bring out the poll taxes this year, setting forth prospects of elections on local option, on a million dollar bond issue for good roads, on division of county and other subjects. The number paying the taxes is a little disappointing.

RACE QUESTION STIRS ARGUMENT IN SENATE

Root and Bacon Have Several Sharp Tilts.

mr Ade 2-11-11

NEITHER MINCES WORDS

Controversy Is Bprought About During Discussion of Election of Senators By Direct Vote—Mann Proposition is Condemned.

WASHINGTON, Feb. 10—Through the injection of the race question into the hitherto comparatively commonplace discussion in the Senate of the resolution providing of the election of Senators by direct vote, Senator Root of New York and Senator Bacon of Georgia lifted that controversy to a plane of almost sensational interest.

The incident arose in connection with extended remarks made by Senator Root in opposition to the Borah resolution. The New York Senator said the National government could not afford to barter away the privilege of supervising senatorial elections in the South, if need should arise for such supervision.

Also in speaking of the observance of the Fourteenth and Fifteenth amendments to the constitution he said that from time to time "things happen" in the Southern States which should not be permitted by the States and which should be corrected if not by the States themselves, then by the National governmenpt. Later he took occasion to emphasize this statement.

When first made, the declaration caused a visible stir on the Democratic side of the chamber and the feeling was intensified by the repetition. It at once became manifest that if anything was lacking to insure opposition by the Southern Senators to the resolution it had been supplied by Mr. Root.

Alienation the Purpose.

Senator Borah who has charge of the measure charged that the race question had been drawn into the case for the purpose of alienating the minority.

When Mr. Root concluded his speech about 3 o'clock he left the chamber.

Mr. Bacon immediately expressed a desire for specifications regarding the things which the New York Senator had said "happens in the south," which ought to call for Federal intervention, but the demand did not reach Mr. Root until after Senator Beveridge had made formal reply to the New York senatorship and the Senate was prepared to adjourn.

Just before Mr. Bacon revived the Southern question. Repeating the remarks of the New Yorker, Mr. Bacon addressed himself directly to Mr. Root and asked:

"What are the things to which the Senator refers?"

Mr. Root's response was in nowise evasive or indirect. Recalling the substance of his previous remarks he said he had reference to the voluntary surrender by the government of the power to enforce the protection of the suffrage privileges of the Southern negroes. Facing Senator Bacon and speaking with great deliberation, Mr. Root enumerated the peonage system, the lynching of negroes and the disfranchising provisions, such as the "grandfather" clauses in the constitutions of some of the Southern States, as some of the things calculated to deprive the black man of that equal protection which the constitution guarantees.

Attitude Toward South.

"The people of the United States are willing to fold their hands and wish the southern people 'God speed' in working out their delicate problem so long as they do so in kindness; but if there should be such oppression as to call for the exercise of the power of the United States to enforce the amendments that will be exercised and it ought to be," he said.

Mr. Bacon replied that such questions as lynching and peonage were in no wise cognate to the subject under consideration. He accounted for lynchings on the ground of severe provocation, which he said deprived men of their reason and made demons of them. He found one cause for them in the sparsity of population and to show this crime is confined to no one part of the country, said there had been a lynching in New York in which the victim was burned to death. As for the charge of peonage, he declared there was no practice in the South worthy of that name.

Indicating doubt as to Mr. Root having had such offenses in mind Mr. Bacon said he was sure the New York Senator was really inveighing against supposed offenses against the franchise.

"Am I correct?" questioned Mr. Bacon.

"Perfectly," responded Mr. Root, and then he added:

Elections Must Be Free.

"If the constitution should be so amended as to provide for the election of Senators by direct vote, the government must retain the power to make those elections free and unhampered. Without this privilege, the government of the United States surrenders the power of its own preservation."

"Does the Senator contend for the power of Congress to annul laws now on the statute books of the states, such as the "grandfather" clause," asked Mr. Bacon.

"Without the slightest doubt," said the New Yorker.

"Well," returned the Georgian, "the Senator certainly has put us on notice."

"I meant to put you and also the country on notice," replied Mr. Root, speaking with force.

Replying at some length, Mr. Bacon said that to change the manner of electing Senators without giving the states control was a grave risk. Speaking of the past experiences of the South he said:

"If the southern people had not contended heroically against conditions which confronted them, civilization would have been destroyed in the South, and it would have been but a short time before it would have been destroyed in the entire nation."

After a few remarks by Senator Fletcher of Florida, regarding the so-called peonage system of the South, the incident closed for the day with Senator Borah's declaration that everybody knew perfectly why the question of lynchings and peonage had been brought into the controversy.

Mr. Root at the outset of his spech took positive position against both propositions contained in the resolution. He would not have Senators elected by direct vote, nor, if they were to be so elected, would he have the control of such elections transferred from Congress to the various State Legislatures. For Congress to abandon jurisdiction over senatorial elections would be equivalent, he said, to the government's surrendering its power to maintain itself.

Mr. Root found in the Mann proposition, that of changing the method of electing Senators, an effort to evade the responsibility in the matter of government. Declaring that the principal reason given for the change to be the corruption of State Legislatures in the interest of senatorial candidates, he said that a more fundamental change should be made than is proposed. He would go to the root of the trouble by so purifying politics as to obtain better material in the Legislatures.

If the people would look properly to the selection of legislative candidates he was sure there would be comparatively little complaint concerning the election of Senators by legislative action as he was sure that in that event agitation for direct election would gradually disappear.

Urges Great Caution.

The New York Senator advised great caution in amending the constitution. He did not think it well that the habit should be contracted.

"Reverence for that great instrument, the unwillingness to change it, the sentiment that has gathered around it, constitute the stability of the people who inhabit this great nation," he said.

Especially desirable was it, he said, that few changes should be made in the relations between the states and the national government. In such cases the burden was doubled. A war had been fought to settle the most vital problems and to make a change bringing about new relations should not be rightly undertaken.

Admitting the expression of a popular wish for popular Senatorial elections, Mr. Root contended that the feeling is a mere assent—not a violent desire. Naturally he thought the electorate would accept any extension of the franchise.

The evil, however, which the people wished to see cured was the defects in the plan of electing Senators by the State Legislatures, said the Senator. They were tired and impatient over delays.

The Senator suggested that the amendment should be changed to read:

Would Change Amendment.

"Whereas, the people of the several states have proved incompetent to select honest and faithful legislatures in their own states, resolved that the constitution be so amended as to relieve the people from the consequences of their interdependence by taking from the state legislatures the power to choose Senators and vesting that power in the same incompetent hands."

The agitation in the present case was traced by the speaker to the popular distrust in representative government.

"Strangely this movement comes at a time when the development of the country makes it more and more necessary that we should depend upon representative government," he said. "The initiative, the referendum, the demand for popular elections are expressions of a weakness of democracies."

Admitting this to be a period of readjustment in the union, Mr. Root said many experiments would be the result of this condition.

He gave it as his deliberate judgment that "the Senate has performed its duty loyally, faithfully and completely, and has supplied to the history of the country a line of illustrious men, and a record of achievement which furnish the most convincing proof that the world ever has had, that popular government is a possibility among men."

Sympathizes With Southerners.

The speaker sympathized with the southern people in the solution of the problem of the race conflict, but was not willing to sacrifice the right of the Federal government to interfere anywhere if such interference should become necessary.

"Some things are done in parts of the South," said Mr. Root, "that the states ought not to permit and if they do permit them, the country must not, the minute they touch the constitution." He admitted that the north had made mistakes in regard to the race problem in the southern states. Quoting Senator Percy's declaration to the effect that the South could not afford to pay for popular elections, the price of Federal control, Mr. Root closed by saying:

"I say with much earnestness to the Senator from Mississippi and his Republican allies, that the time has not come when the people of this nation are entering the market place to buy the right to preserve and protect the national power under the constitution."

Senator Beveridge replied in detail to Mr. Root's arguments. No advance, the Indiana Senator said, had ever been undertaken that was not opposed by those who saw great danger in the change proposed. Much of this opposition came, he continued, from men of a sound type of mind, but he believed it due to fear.

Conditions Have Changed.

Taking up Mr. Root's contention that the framers of the constitution had made an effort to guarantee against changes, Mr. Beveridge traced the apprehension on this point to observation of the history of democracies up to the time of the constitutional convention. Previous to that period there had been no republic of extensive area or of large population. The result of those conditions had been that the popular will could be easily influenced by popular oratory.

But such fluctuations as had been experienced in the ancient republic would be impossible in a nation of almost 100,000,000, and of such broad expanse as this, he said. He also declared the French republic to be an example of stability.

"Stability," he asserted, "is to be found only in the intelligence and patriotism of the people. If the people are capable of electing members of the Legislature they are capable of electing Senators."

Referring to the fact that [illegible] had been fashioned somewhat [illegible] English House of Lords, Mr. Beveridge said that that great prototype is gradually losing its power. All of the great English reformers had originally come into power through the vote of the people, and the laws of the United Kingdom had long rested upon the wisdom, the courage and the patriotism of the House of Commons.

Disgusted With Wire Pulling.

Replying to one of Mr. Root's arguments, Mr. Beveridge said the principal reasons why the people stay away from the polls is because they feel they have so little to do with the making of laws and the election of Senators by the State Legislatures. The wire pulling had disgusted them and it would go on until the popular demand should become irresistable.

"This is not a wild fancy, but another step in the onward march," he said. "It is a historic movement—no pendulum swinging affair; there is no swinging back."

TO WORK AGAINST DISFRANCHISEMENT

Maryland Republicans Will Seek to Repeal Iniquitous Wilson Laws

BRIGHT PROSPECTS AHEAD

Republicans Encouraged Over Decisions of U. S. Court in Declaring Digges Bills Unconstitutional.

8-10-11

Special to THE NEW YORK AGE.

Baltimore, Md., August 9.—The Republicans of Maryland are planning to wage a vigorous campaign the coming fall against disfranchisement in all of its aspects. They will probably have a plank in their platform calling for the repeal of the iniquitous Wilson ballot laws. These laws are in force in all of the counties in the southern part of Maryland, and in a number of counties on the Eastern Shore, and are expressly for the purpose of confounding ignorant colored voters.

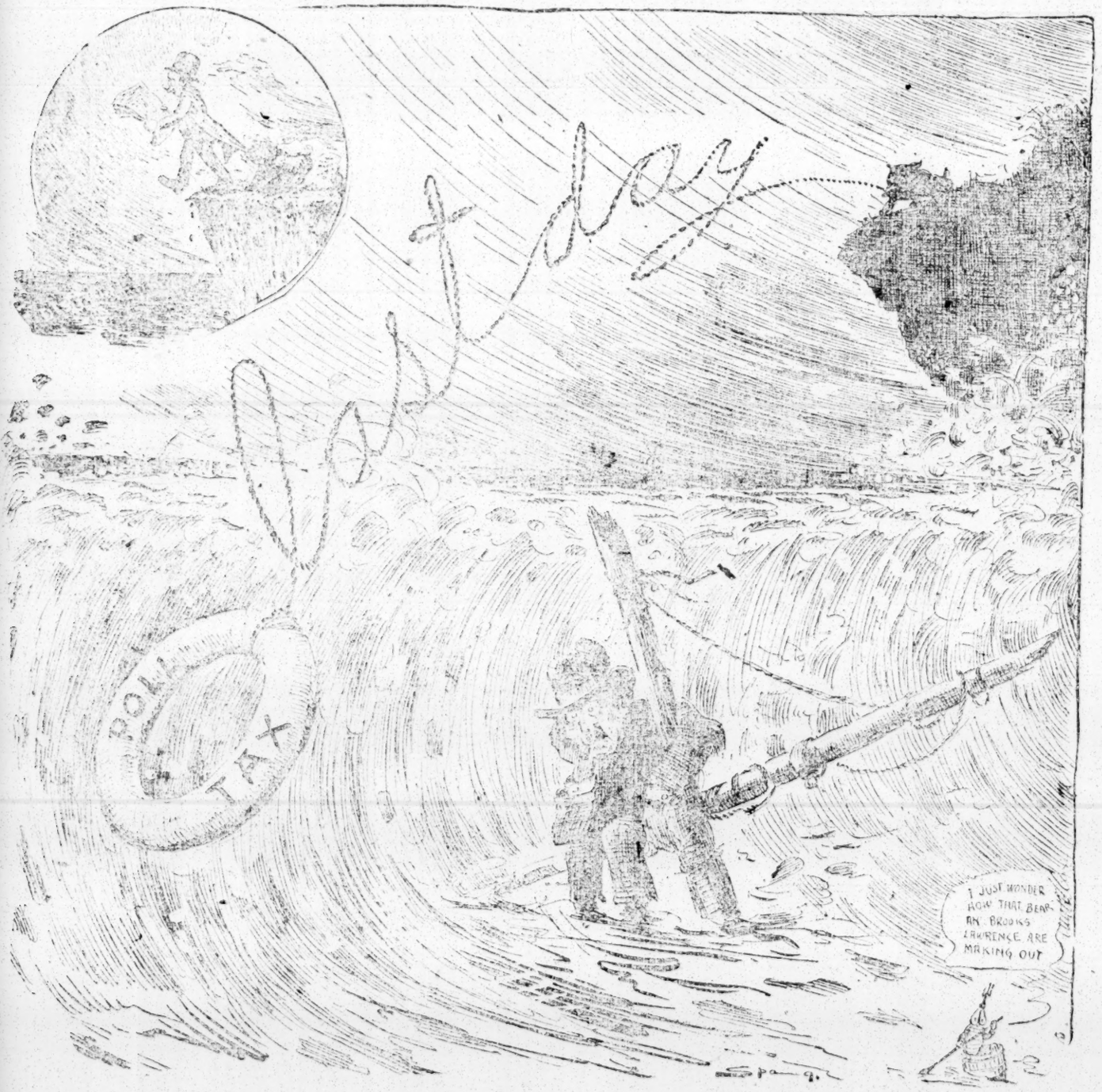
2,677 PAY POLL TAX.

At the Tax Collector's office last night at the hour of closing, it was stated that 2,677 citizens of Montgomery County had qualified to participate in the elections of the present year by paying poll tax.

By adding to this number the members of the Alabama National Guard and those exempt from poll tax, it is believed the voting list will run beyond 3,000. In view of all conditions it is considered that this is a favorable showing. Over 1,000 have paid within the last three days.

Julius L. Rice was the last man to qualify before the office closed

"Positively the Last Call"



oll taxes must be paid before Wednesday midnight if you would vote this year on the important ques tions that are coming up.—News Item.

Many Pay Poll Tax.

The issuing of poll tax receipts kept Tax Collector Crawford Phillips busy today, as the voters of the city and county wanted to be prepared to cast their votes in any election which may be held during the year. Many paid their poll tax during the morning and there was a steady stream of voters flowing in and out of the office all during the afternoon. At 12 o'clock today over 1,000 voters had paid their poll tax and this number was increased during the afternoon.

1,574 PAID POLL TAXES.

ANNISTON, ALA., Feb. 2—On the close of the books of the County Tax Collector H. F. Montgomery Wednesday, it was shown that 1,574 persons had paid their poll taxes for 1910. This is 326 less than last year, when 1,900 qualified in this way. The decrease is attributed to the fact that this is considered an off year politically.

BUY 1,600 PAY TAX.

CENTERVILLE, ALA., Feb. 7.—Although this is considered an off election year, nearly 1,000 persons in Bibb county had paid poll tax up to February 1. The tax collector states that this number about equals the number who paid poll tax last year and exceeds the number of persons who paid poll tax in the year 1909.

DALLAS WILL SPEND $13,313 FOR BRIDGES

Twenty-Three Steel Structures Will Be Erected.

1,021 POLL TAXES ARE PAID

Number of Receipts Issued Is Not As Large as Was Expected, But Exceeds Number Issued Last Year. Campbell is Surrendered.

SELMA, ALA., Feb. 2—The Court of County Commissioners this morning let a contract to the Converse Bridge Company of Chattanooga for the erection of twenty-three steel bridges over different creeks and branches in all parts of Dallas county.

There were a number of bids submitted for the erection of the lot of bridges, but the bid of the Converse Bridge Company was the lowest and best and for that reason was accepted. The bridges, which will be erected, will cost the county $13,313 and the work of putting them in will be started by the bridge company within the next week or two.

POLL TAXES COME SLOWLY.

DECATUR, ALA., Jan. 28—Last year there were 2,058 poll taxes collected in this county. Up to this time there have been 657 collected, being 400 less than last year, and only three more days remain in which to pay the tax. On February 1 the indications are that the payment of polls for this year will be at least 300 short of last year.

1,021 Pay Poll Tax.

Tax Collector G. Crawford Phillips issued poll tax receipts for 1,012 of the voters of Dallas county this year. The number of receipts which were issued was not as large as was expected, but they exceed the number which was issued in Dallas county last year. The percentage of the voters of the county who paid their poll tax is considered very large as the greater number of the voters of the county, who are liable to the tax are exempted because they belong to some military company or have otherwise become exempt from paying them according to some measure provided for in the law.

1,189 PAY POLL TAX.

RUSSELLVILLE, ALA., Feb. 14.—The exact number of poll taxes paid in Franklin County up to Februaryy 1 1911, is 1,189. Of these 1,107 are for the year 1910, and 82 are delinquent.

POPULAR ELECTION OF SENATORS.

After many years of talk and thought and petitions the United States Senate has consented seriously to consider and discuss the advisability of an amendment to the Federal Constitution providing for the election of Senators by direct vote of the people, a proposition involving the abrogation of the one section of the Constitution upon which the framers thereof spent many days and arguments, and which, we believe, is the essence of wisdom in legislative safeguards in respect of all constitutional governments. Fisk, in his great history of the memorable Philadelphia Convention, gives us a fine description of the conduct of the fathers during all the discussion that preceded the adoption of the final, and present section, how first one proposition, then another was advanced and rejected, and how Franklin, chief of the popular rule members, was finally won over to the side of the great Virginians, who had a no small part in settling the issue.

It is not our purpose, at this time, to discuss the wisdom of a change or engage our readers in a consideration of the proposals of the populistic leaders now clamoring to write their names above the names of those who gave us our great charter. Suffice it to say, THE AGE believes it the highest folly to repeal, amend, or disturb in any direction the present provision for the election of Senators. We believe in the people, but we believe also in the counsel of wisdom and in the wisdom of the experienced. We believe in representative government in the power of the people, and also in the incompetency of the mob to legislate with that calm out of which comes peace and progress.

We desire, however, to consider a few facts in respect to the present discussion. The resolution proposing an amendment to the Constitution was last week reported from the Judiciary Committee to the Senate after a long debate and discussion, and after an amendment offered by Senator Depew of New York had repeatedly been voted down. This amendment, we are happy to note, has been revived by the New York Senator, and was a few days ago the subject of interesting speeches, addresses and observations, chief among which were the remarks of Senator Carter, who pointed out the danger involved to a certain class of our electorate in the proposed amendment, unless certain specific provi-

...ons respecting the m... ecting Senators were made.

Senator Depew's amendment provides that in the election of Senators, *all* citizens shall have equal right of suffrage.

The immediate and violent opposition of Southern and Democratic Senators to this proposition, it will readily be seen and even as the Southern Senators themselves admitted, was due to the fact that under it the Southern colored men, now disfranchised by the spirit and operation, if not the letter of State laws, would have the right of franchise in the election of Federal Senators. "I would rather have no change," Clarke of Arkansas, is reported to have said, "than to accept such an amendment." If we were discussing the moral issue rather than the facts, we might here say, pertinently we hold and enlarge upon it, that the disfranchisement of the Negro, a constitutional highway robbery, will be, like slavery, a fatal stumbling block to all legisation, wise or unwise, until, like slavery, it is put aside. The Democrats (who are now petting the Northern Negro) had their way, Senator Depew's amendment was lost, and the measure went to the Senate as originally drawn.

Another mendatory suggestion which has become the subject of a wrangle is that which provides for Federal control of the election of Senators, the advocates of this provision ably contending that, since the Senators are Senators of the "United States" representing the commonwealth as a whole in contradistinction to representatives, who represent a given number of people, the government ought rightly to supervise, superintend direct, and control the election. This seems to be not only good constitutional law, but also the very essence of expediency. As we understand it, those desiring the change in the manner of electing Senators seek not to change the spirit of the present law, but to really protect the spirit by safeguarding the dignity of the senatorship. How in the end the spirit of the law will be protected by changing the very fundamental principle of it, is beyond us, and, we imagine, is beyond most laymen, and perhaps, excepting Borah of Idaho, most lawyers in the Senate who are given to reasoning from cause to effect, and who are not devoted beneficiaries of the operation of legal subterfuges. Of course no one expects a Southern Senator to be exercised in his compunctions as to the operation of a law, for most of them, and three-fourths of the Southern Congressmen, hold their seats in the Congress through fraud of conscience and of honor, and a mendacious conspiracy against the Constitution of the United States, which, bless them, they found invulnerable against the sword, but easy before a gentle and soothing machination.

The situation calls, of course, for some strong and able member of the Senate to protect both the Constitution and the rights and liberties of the citizens, to both successfully oppose the foolish innovation attempted and to disclose the wicked motive behind the unfair discrimination practiced against the loyal colored men of the South. Here would be the very happy and brilliant opportunity for Senator Foraker if he was still a member of the Senate. Perhaps the ablest Constitutional lawyer the Senate has claimed for a member since Webster, he would fairly delight in the debate and, doubtless, as usual, win a victory for the Constitution and for the people. There are many able men in the Senate, and it may be that they will not hold their tongue against the proposition. Henry Cabot Lodge has just been returned to the Senate from Massachusetts on a platform opposing direct election of Senators. This gives his attitude a double significance; he is not only personally opposed to the measure, but he is sanctioned in his convictions by the endorsement of his constituency. As one of the brilliant and readiest students of the constitutional history of the United States, and an effective and resourceful debater, Senator Lodge, if he will, can be of large assistance in a proper consideration and a just conclusion of the whole matter.

II

As was to have been expected, the Southern and Democratic Senators, just as soon as it was proposed to have Federal supervision of the election, if the measure should pass the Congress and meet the necessary ratification of the required number of states, fell back on the old cry of "Force Bill," the name given to the Lodge bill of 1890, when it was found necessary to call upon the Government to hold elections in order to protect the Negro in his exercise of the franchise. The bill did not pass then, and nothing of the kind has since been attempted, and nobody now cares whether or whether not the Negro is protected in his exercise of the franchise. Therefore, he is robbed of the ballot. The cry of "Force" was then effective. We believe, with the enlightenment of the years, the achievements ...lief of the ... the intelligent determination of the Negro leaders, if we can persuade them to appreciate the urgency of the present situation in respect to their status and their future, that no such cry can in this day frighten those who see their plain duty when considering so grave a measure, which would greatly change the fundamental law of the republic, and influence beyond measure our conception of government.

Saturday of last week Senator Carter bravely warned the Senators of the dangers of the proposed amendment. He said in unpolished speech, too seldom used and so often needed, that he perceived in the measure universal disfranchisement of the Negro. He saw also a repetition of fifty years ago, when schoolhouses were turned into forums and pulpits into platforms, and men grew bitter one toward the other. The following dispatch to *The World* will give some idea of Senator Carter's language:

A forcible speech was made by Senator Carter in opposition to the pending resolution. He did not object to the election of Senators by direct vote of the people, but declared that two propositions were involved in the conclusions found by the Judiciary Committee. One provided for the election of Senators and the other gave the States entire supervision over the elections and relinquished all power of control by Congress.

This later feature he antagonized. He said its effect would permit endless fraud and corruption without the possibility of Congress enacting suitable laws to prevent it. The Senate, he said, would not longer enjoy the right to judge the qualifications of its own members, but must accept such persons as were selected by States.

Mr. Carter said it was useless to mince words and the time had arrived for plain speaking. The clause permitting each State to control its own elections when Senators are chosen was the float by which the resolution had been brought out of the Judiciary Committee. It would accomplish the complete disfranchisement of the Negro.

He warned Senators from Southern States that nothing would be gained for their section by this contemplated legislation. He said the surrender of power by Congress would be discussed in every schoolhouse throughout the North and West. It would create agitation and bitterness. It would interfere with industrial progress and prosperity. With this provision eliminated, the resolution could not be adopted.

May we not then appeal, not to England, but to our own countrymen for justice, to the Senate for reason, and to the leaders of colored Americans to lay aside, for a season, personal ambitions, and bestir themselves like ancient men for the protection of our rights and the rights of our children? THE AGE would entreat every man and woman who can write to send your Senator a letter, not filled with arrows of venom and hatred, though we are contemned and persecuted, but a letter asking for that justice to which we, and all American citizens, are entitled. The right of petition is ours.

TO PAY POLL TAX.

TUSCUMBIA, ALA., Feb. 10.—The prospect of an election or elections during the present year has not inspired the voters of Colbert County to pay their poll tax and become qualified to participate in the election, to any unusual extent. The receipts issued by the Tax Collector to February 1 agregate only 774, with back polls of eighty-three, a total of 857. For 1909, or the year previous, there were 858 polls paid, with back taxes 906, a total for 1909 of 1,774. There is a falling off in the straight polls paid during 1910 as compared with 1909 of eighty-four, or the difference between 774 and 858.

Former Gov. Haskell, the trouble making man of the state of Oklahoma, while now very quiet, is laying plans to get to Washington. He will oppose the re-election of Senator Owen, one of the ablest of the younger men in the Congress. A few days ago Federal Judge Cotteral decided in an Oklahoma case that the grandfather clause of the election laws is unconstitutional. This weakens Haskell, who got ahead in the political game by disfranchising colored men. Owen isn't much better, but he is an improvement over Haskell.

MANY POLL TAX DELINQUENTS

COLLECTOR FOR JEFFERSON COUNTY SAYS LESS THAN 6,000 RECEIPTS HAVE BEEN ISSUED.

BIRMINGHAM, ALA., Jan. 26.—The poll tax collector for Jefferson County today announced that less than 6,000 receipts have been issued and even if 2,000 receipts a day are issued between now and February 1, when the poll tax becomes delinquent, the aggregate number will not be as great as it was last year.

The statement is startling in the face of the probability of at least two or three elections this year, the poll tax receipt being a qualification. Should the liquor question be submitted to the people to vote on, the vote in Jefferson County would be distressingly low. A rumor prevails, too, that people who are opposed to saloons and liquor are paying their taxes liberally.

1,026 POLL TAXES PAID.

LAFAYETTE, ALA., Feb. 4.—One thousand and twenty-six poll taxes were paid in this county this year.

...county ... up to the ... were about

To February 2 there were 552 persons who paid the tax. This is said to indicate a voting strength of about 1,200. From past experience, it would seem that not one man in Hale, would have neglected to pay this tax.

A STRIKING EXAMPLE.

Because a man failed to pay his poll tax once Sumpter county's tick eradication may be temporarily halted. Proceedings have been instituted seeking to oust one of the commissioners of that county on the ground that he was not a qualified elector at the time of his election. It is charged that the commissioner failed to pay his poll tax one year and that such neglect disqualifies him from holding the office of county commissioner."

The vote of this commissioner with two others recently constituted a majority whereby $2,000 was appropriated for tick eradication purposes. Injunction proceedings will be taken against the use of the appropriation.

This incident emphasizes the importance of keeping your poll tax record clear.

The outcome of the Sumpter case will be watched with interest.

POLL TAX.

TROY, ALA., Feb. 11.—The number of poll taxes paid here for the past year was 112 less than it was the year ago. There were 1,538 paid last year and 1,426 for this year. Last year the people were interested on account of the amendment and the number paid last year was the greatest that has ever been paid in Pike County.